

Appl. No. 10/748,549
Armdt. Dated November 30, 2005
Reply to Office Action of June 2, 2005

Docket No. AS00007
Customer No. 22917

REMARKS/ARGUMENTS

Claims 1-5, 10-13, 16-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Murphy (USPN 6,232,874). Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Geisler, et al. (US 2004/0088205). Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of William Cohen (ML95 provided by Applicant). Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of William Cohen (ML95 provided by Applicant).

In response, Applicants have amended independent Claims 1, 12, and 25 to more clearly specify the invention. Namely, each independent claim has been amended to require "utilizing the classified state ... to determine whether the driver is capable of receiving an event in the vehicle." For example, such as whether the driver is capable of receiving "change engine oil" light or whether such an event would distract the driver. See Applicants' specification, paragraph 33. Such a limitation is not described by the prior art.

Specifically, Murphy teaches a system for restricting use of a vehicle by a selected vehicle operator to permitted time intervals and permitted vehicle travel corridors. Murphy, abstract. Murphy identifies a driver and authorizes the driver if possible to determine permitted time intervals and permitted vehicle travel corridors to ultimately implement control action. The restricted system of Murphy does not teach "determining whether the driver is capable of receiving an event in the vehicle." In contrast, Applicants' invention requires "utilizing the classified state ... to determine whether the driver is capable of receiving an event in the vehicle." Since each of the

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claims requires such a limitation and such a limitation is not taught by the prior art, the rejections should be withdrawn.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants. In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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Attachments